

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 FERNANDO ERIK LUGO,

4 Plaintiff,

5 v.

6 TRAVIS MOORE (OWNER), *et al.*,

7 Defendant.

CASE NO.: 3:17-CV-00394-RCJ-WGC

**ORDER**

8  
9 Before the Court is the Reports and Recommendations of U.S. Magistrate Judge (ECF #5<sup>1</sup>)  
10 entered on August 2, 2017, recommending that the Court grant Plaintiff's IFP Application (ECF No. 4);  
11 however, Plaintiff should be required to pay an initial partial filing fee in the amount of \$16.10.  
12 Thereafter, whenever his prison account exceeds \$10, he should be required to make monthly payments  
13 in the amount of twenty percent of the preceding month's income credited to his account until the filing  
14 fee is paid; the Complaint (ECF No. 1-1) should be filed and this action should be dismissed. On  
15 August 16, 2017, Plaintiff filed his Objection to Report and Recommendation Regarding Motion for  
16 Summary Judgment (ECF No. 6).

17 The Court has conducted its *de novo* review in this case, has fully considered the objections of  
18 the Plaintiff, the pleadings and memoranda of the parties and other relevant matters of record pursuant  
19 to 28 U.S.C. § 636(b)(1)(B) and Local Rule IB 3-2. The Court determines that the Magistrate Judge's  
20 Reports and Recommendation (ECF #5) entered on August 2, 2017, should be ADOPTED AND  
21 ACCEPTED.

22 IT IS HEREBY ORDERED the Plaintiff's IFP Application (ECF No. 4) is GRANTED.

23 IT IS FURTHER ORDERED that the Clerk of the Court shall file Plaintiff's Complaint (ECF  
24 No. 1-1).

25 IT IS FURTHER ORDERED that this action is DISMISSED. The Clerk of the Court shall close  
26 the case.

27 IT IS SO ORDERED this 22<sup>nd</sup> day of August, 2017.

28  
  
ROBERT C. JONES

<sup>1</sup>Refers to court's docket number.